OCA consumer register

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Speak up & be heard

CONSUMER REGISTER lists summaries of major consumer proposals before Federal agencies. If you wish to submit written comments, include your name & address, state the name & *Federal Register* citation of the proposal on which you are commenting and explain your views briefly & clearly.

Plane fares

April 21 is deadline for comments on a **Civil Aeronautics Board** proposal about posting the changes in plane fares.

The CAB proposal would require airlines to post summaries of proposed fare changes 30 days before new rates are scheduled to go into effect. Summaries would show current fares, proposed fares and differences between the two. Consumers could protest fare changes by sending complaints to CAB within the 30-day period.

At present, airlines only have to post notices at ticket offices to inform the public that proposed new fare rates are filed at the office. Passengers must check the airlines' files to get information on changes in fares.

Currently, regulations require only that fare information be filed in offices in affected cities—changes in fares between New York and Los Angeles would have to be filed in those cities, but not filed in other cities. The proposed regulations would require that an airline's N.Y.-L.A. fare changes, for example, be posted in the airline's offices everywhere.

For details, see *Federal Register*: March 23, page 5964. Send 12 copies of comments to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

Nitroglycerin medicines

May 5 is the deadline for comments on a **Food & Drug Administration** proposal governing the packaging of nitroglycerin medicines.

Nitroglycerin evaporates quickly from tablets used to treat certain heart ailments. Studies have indicated that plastic containers do not help prevent evaporation.

The FDA proposal would require nitroglycerin tablets to be packaged in glass containers with tightly fitting metal screw-on caps. Drug manufacturers who use other containers would have to get specific FDA approval.

In addition, the containers would have to contain warning statements telling the consumer, the doctor and the druggist that the drug should be stored in a cool place and dispensed only in the original container.

For details, see *Federal Register*, March 7, page 4918. Send comments to the Hearing Clerk, Department of Health, Education and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852.

Poison prevention

May 8 is the deadline for comments on a **Food & Drug Administration** proposal to require special child-proof packaging for household products which contain sodium or potassium hydroxide.

The compounds may be found in household lye, certain oven cleaners and some drain and toilet-bowl cleaners. When accidently swallowed by young children, these compounds can cause serious injuiries to the mouth, esophagus and stomach.

The FDA proposal would apply to household products in dry forms, such as granules, powders and flakes, containing 10% or more sodium or potassium hydroxide and to liquid household products with more than two percent. Manufacturers would have to use packages that a sample of children under five cannot open 85 percent of the time but that a panel of adults can open 90 percent of the time.

For details, see *Federal Register*, March 9, page 5047. Send comments to Hearing Clerk, HEW, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852.

Motorcycle brakes

The **Department of Transportation** has issued a new Federal Motor Vehicle Safety Standard for motorcycle brake systems. The standard, which goes into effect September 1, 1973, is designed to ensure safe motorcycle braking performance in emergencies.

The standard requires motorcycles to have either a "split" service brake system, where one control actuates multiple independent brake operating systems, or two independently actuated service brake systems, with individual controls operating the front and rear brakes. Most motorcycles are already equipped with the latter type of system, although not required by present federal standards.

Under the standard, motorcycles must pass a series of road tests, stopping within specified distances at various speeds and demonstrating acceptable stopping performance after the brakes have been exposed to water. Where brakes are independently actuated, they must pass individual tests.

In addition, three-wheeled motorcycles must be equipped with a friction type parking brake.

For details, see *Federal Register*, March 9, page 5033.

Furniture polish

After Sept. 13, manufacturers of certain liquid furniture polishes will have to package their products in child-proof containers to comply with a new **Food & Drug Administration** regulation.

The regulation covers liquid furniture polishes that contain at least 10% mineral seal oil, a crude form of mineral oil used to put a shine on furniture. When swallowed by children, such polishes can cause lung diseases.

Under the new regulation, furniture polish packages must pass 2 tests:

1. A sample of children under 5 must not be able to open the package 85% of the time, but a panel of adults must be able to open it 90% of the time.
2. The opening of the container must restrict the flow of polish so that only about a half teaspoonful can be obtained from one shake or squeeze of the opened container.

For details, see *Federal Register*: March 17, page 5613.

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PCBs

May 17 is deadline for comments on the **Food & Drug Administration** proposal to limit the use of the poisonous chemicals known as polychlorinated biphenyls or PCBs. PCB chemicals have caused liver and genetic damage when fed to some laboratory animals.

PCBs are man-made chemicals used in industrial electrical equipment as heat-transfer agents and in inks, paints, lubricants, plastics, waxes, adhesives, various building materials and carbonless copying paper. When industrial accidents occur in animal-feed plants, PCBs may get into the feeds. In addition, the use of food-packing papers that contain PCBs may cause direct contamination of foods.

The FDA proposal would eliminate sources of PCB contamination in plants that process food, animal feed or food-packaging materials. Such companies would have to eliminate equipment that contains or uses PCBs whenever there is a chance that their product could become contaminated. New equipment or machinery could not contain or use PCBs, and paints in feed-storage areas would have to be free of the chemicals.

In addition, the proposal would:

- Ban the use of recycled paper products that contain PCBs and are intended for use in food packaging. PCBs may be found in recycled paper that is made from copying paper or paper with ink that contains the chemical.
- Set temporary tolerances for PCB residues in food-packaging materials, dairy & poultry products, fish, baby foods and animal feed. FDA officials say that it is difficult to eliminate PCBs from food. Residues will remain in foods and food-packaging materials for some time, perhaps several years. The temporary tolerances would be in effect until the residues are substantially reduced and more stringent regulations are possible. Foods that exceed the tolerances would be considered adulterated and could be seized by FDA.

For details, see *Federal Register*: March 18, page 5705. Send comments to the Hearing Clerk, Room 6-88, Dept. of Health, Education & Welfare, 5600 Fishers Lane, Rockville, Md. 20852.

Wintergreen oil

After Sept. 21, certain liniments that contain wintergreen oil will have to be packaged in child-proof containers to comply with a new **Food & Drug Administration** regulation.

The regulation applies to liquid preparations that contain more than 5% wintergreen oil. Wintergreen oil can be poisonous to small children who swallow such products.

To comply with the new regulation, manufacturers will have to use containers that a sample of 200 children under 5 cannot open 85% of the time but a panel of adults can open 90% of the time.

For details, see *Federal Register*: March 25, page 6184.

Nutritional labeling

June 28 is deadline for comments on a **Food & Drug Administration** proposal that would establish for the first time a uniform voluntary nutritional labeling system for packaged foods.

FDA said it developed the new system in response to requests by consumer groups and to a recommendation favoring nutritional labeling by the 1969 **White House Conference on Food, Nutrition & Health.** The system would encourage manufacturers voluntarily to list calories, fat, protein, carbohydrates, vitamins & minerals on food packages. FDA said that the increasing number of processed and formulated foods has made it difficult for consumers to identify the nutritional qualities of the foods they buy.

Under the proposed FDA guidelines, an information panel, displayed prominently on food packages, would contain the nutrition information. It would be under the heading "Nutrition Information" and would list

—A statement of what is considered the size of an average serving for the product expressed in common household terms, such as cups or slices;

—The number of calories per serving rounded off to the nearest 5-calorie increment;

—The number of grams of protein, fat & carbohydrates per serving rounded off to the nearest gram;

—The amounts of vitamins & minerals in each serving listed as percentages of the Recommended Daily Allowances (RDAs) of vitamins & minerals. (The RDAs are established by the **National Academy of Sciences-National Research Council** to represent the amounts of vitamins and minerals that the average person needs each day.) The list would comprise at least 7 vitamins & minerals: vitamins A & C, thiamin (vitamin B_1), riboflavin (Vitamin B_2), niacin, calcium & iron.

—The amount of protein in each serving expressed as a percentage of the adult RDA.

A nutritional label would comply with the proposed FDA standards if at least 80% of the product in the package met or exceeded the claimed nutrient levels.

Although the standards would be voluntary, FDA said it had conducted a study where results indicated that consumers would tend to buy products with the labeling over products without the labeling, thereby providing an economic incentive for all manufacturers to use the labeling. To guard against a proliferation of different labeling systems, which FDA said "would lead to consumer confusion and reduce the potential educational benefits of nutrition labeling," FDA has specified that all manufacturers adopting nutritional labeling must use the FDA system.

For details, see *Federal Register*: March 30, page 6493. Send comments to the Hearing Clerk, Dept. of Health, Education & Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852.